

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 9, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner
Bob Rowe, Commissioner

APPEARANCE

Steve Vick
Utility Division

(292) In the matter of Central Montana Communications, Docket No. N2002.6.78; On June 21, 2002, Central Montana Communication filed modification to its tariffs. As a result of a recent FCC order the Federal Subscriber Line Charge (SLC) will increase effective July 1, 2002 from \$5.00 to \$6.00. For qualified low-income customers, the FCC directed that support for the federal Lifeline service program will match any increases in SLCs. The Tier 1 discount for low-income subscribers has increased accordingly. Commissioner Anderson moved to approve the tariff changes. Commissioner Rowe seconded the motion, which passed unanimously.

(293) In the matter of Qwest Communications, Docket No. N2002.6.79; On June 26, 2002 Qwest filed tariff Transmittal 02-19. The purpose of this filing is to increase the Federal Telephone Assistance Plan credit from \$8.50 to \$9.50 to offset the increase in the Subscriber Line Charge (SLC) required by the FCC. This will insure that Qwest's Montana Lifeline customers will not see any increase in their monthly bill. Commissioner Rowe moved to approve the tariff change. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(294) In the matter of T-01.25.PCN; On August 9, 2001 T & J Ventures, LLC, Frenchtown, Montana filed an application for intrastate operating authority. The application was noticed to the public on September 10, 2001. Protests were received and the application was scheduled for public hearing on November 19, 2001. The Applicant requested that the public hearing be vacated and rescheduled. The public hearing was rescheduled for May 7, 2002 and again the applicant contacted this office as requested that the public hearing be vacated and advised that they would be withdrawing their application. They were told to submit that withdrawal in writing on several occasions. On May 22, 2002 a certified letter requesting, in writing, either a withdrawal of the docket or an explanation of their intentions was sent. The letter was returned to this office unclaimed. On June 24, 2002 the certified letter was personally served on the applicant by PSC Field Enforcement Officer Bob Charles. No response has been received.

Class B – Passengers in limousine service between all points and places in Flathead, Granite, Lake, Mineral, Missoula, Powell, Ravalli and Sanders Counties.

Commissioner Rowe moved to vacate the hearing and close the docket. Commissioner Brainard seconded the motion, which passed unanimously.

(295) In the matter of the approval of Commission Minutes; Commissioner Rowe moved to approve the Commission Minutes for the week of July 1, 2002. Commissioner Stovall seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

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APPEARANCE

Martin Jacobson

(296) In the matter of the Commission's discussion of Energy West Montana's Annual Gas Tracker, Docket No. D20002.6.77; Commissioner Anderson moved to approve the interim order. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Lisa Swanson, Leroy Beeby

(297) In the matter of the Commission's discussion of Fairmont Hot Springs Resort's Application for Initial Sewer Rates, Docket No. D2001.12.173; Commissioner Brainard moved to approve the settlement agreement. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Marla Larson

(298) In the matter of the Commission's discussion of Qwest Communications Switched Access Meet Point Billing Tariff Changes, Docket No. N2002.5.51; Commissioner Rowe moved to approve the switched access meet point billing tariff changes. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Kate Whitney

(299) In the matter of the Commission's discussion of the PSC Cramming Complaint against DSI, NCG and Integretel, Docket No. D2002.3.29; Commissioner Rowe moved to deny Integretel's motion for reconsideration in part with respect to jurisdiction and to grant the motion in part with respect to procedural issues, with 10 days for Integretel to submit an answer on the merits or propose a disposition of the matter. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Kate Whitney

(300) In the matter of the Commission's discussion of Qwest Communications Local Carrier Freeze, Docket Nos. D2002.2.14 and D2002.2.22; Commissioner Rowe moved to grant the motion for reconsideration and instruct Qwest to file tariff changes if it wants to offer the local carrier freeze. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(301) In the matter of the Commission's discussion of Project Telephone's Extended Area Service with the Billings Region, Docket No. D99.5.129; Commissioner Stovall moved to vacate the reserved issue and close the docket. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(302) In the matter of the Commission's discussion of Blackfoot Telephon Cooperative, Inc., Clark Fork Telecommunications and Ronan Telephone Company Path 2 Disaggregation Filings, Dockets No. D2002.5.55, D2002.5.56 and D2002.5.57, respectively; Commissioner Rowe moved to approve the ETC disaggregation plans for Clark Fork, Blackfoot and Ronan. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel, Mike Lee

(303) In the matter of the Commission's discussion of Qwest Communications Statement of Generally Available Terms Filing, Docket No. D2000.6.80; Commissioner Rowe moved to approve the SGAT filing with wholesale rates to take effective immediately and retaining jurisdiction over issues raised by the Commission or interested persons. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Laura Calkin

(304) In the matter of the Commission's discussion of the Governor's Award for Excellence in Performance; Commissioner Rowe moved to nominate the Section 271 work team for the Governor's Award. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(305) In the matter of the Commission's discussion of the PPL-Montana lawsuit against the Commissioners (re Docket No. D97.7.90, Order No. 5986t); Commissioner Brainard moved to close the meeting (pursuant to the litigation exception). Commissioner Anderson seconded the motion, which passed with a vote of 4-1. Commissioners Anderson, Brainard, Feland and Stovall voted aye. Commissioner Rowe dissented.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)